

COUNTY COMMISSIONERS OF CHARLES COUNTY, MARYLAND

RESOLUTION NO. 2011-39

A RESOLUTION to approve, for federal tax purposes, the issuance of bonds by the Tenth District Volunteer Fire Department Inc. for the purpose of financing or refinancing certain firefighting equipment more particularly described in this Resolution; and generally providing for and determining various matters in connection with such bonds.

RECITALS

1. The Board of County Commissioners of Charles County (the "Board") has considered the request of the Tenth District Volunteer Fire Department, Inc., a Maryland not-for-profit corporation (the "VFD"), to approve, for federal tax purposes, the issuance and/or incurrence by the VFD of its tax-exempt bonds, notes or other obligations in an aggregate principal amount not to exceed \$912,270 (collectively, the "Bonds") to (i) finance or refinance the acquisition of (i) a 2011 Response Marine fire boat, (ii) a 2005 Pierce pumper truck, (iii) a 2009 Peterbilt/Pierce tanker truck and (iv) a 2007 Pierce heavy duty fire truck (collectively, the "Fire Equipment").

2. Section 150(e)(3) of the Internal Revenue Code of 1986, as amended (the "Code"), treats any bonds issued by the VFD, the interest on which is intended to be exempt from federal income taxation, as private activity bonds requiring public approval in accordance with Section 147(f) of the Code. Section 147(f) of the Code requires, as a condition to qualifying the interest on private activity bonds for federal tax exemption, the approval of the governmental unit having jurisdiction over the issuer of the private activity bonds and over the area in which any facility or equipment financed with the proceeds of the private activity bonds will be located.

3. The Fire Equipment will be located within the boundaries of County Commissioners of Charles County (the "County") and the Board constitutes the elected legislative body of the County.

4. The Fire Equipment and the proposed issuance of the Bonds to finance the Fire Equipment have been described to the Board and the Board has conducted a public hearing in connection therewith on this date, as required by Section 147(f) of the Code.

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHARLES COUNTY:

Section 1: The Board approves the issuance and/or incurrence of the Bonds by the VFD in an aggregate principal amount not to exceed \$912,270 for the purpose of financing or refinancing the acquisition of the Fire Equipment as required by Section 147(f) of the Code, and the applicable proposed, temporary and final regulations thereunder, to assist the VFD in financing the Fire Equipment with the proceeds of tax-exempt obligations.


Section 2: The approval of the issuance of the Bonds does not constitute an endorsement to a prospective purchaser of the Bonds of the creditworthiness of the VFD.

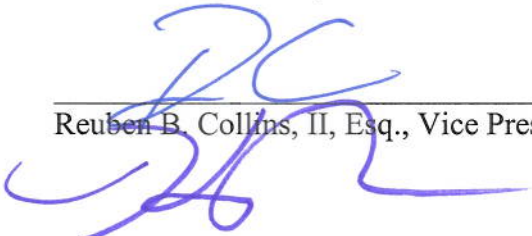
Section 3: The approval of the issuance of the Bonds in no way commits the County to expend any funds on the Fire Equipment or to pay the debt service on the Bonds and the Bonds will not constitute a debt or pledge of the faith and credit of the State of Maryland or any political subdivision thereof, including the County, and neither the faith nor credit nor taxing power of the State of Maryland or any political subdivision thereof, including the County, will be pledged to the payment of the Bonds.

Section 4: This Resolution takes effect from the date of its adoption.


Adopted the 21<sup>st</sup> day of June, 2011.

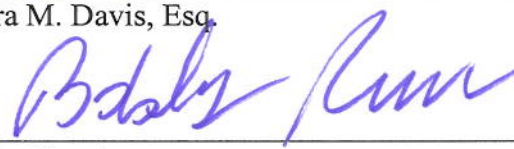
COUNTY COMMISSIONERS OF  
CHARLES COUNTY, MARYLAND

  
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